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**BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

Case No. MD-06-0742A

**JOHN F. MICHIELS, M.D.****CONSENT AGREEMENT FOR  
SURRENDER OF ACTIVE LICENSE**Holder of License No. 22251  
For the Practice of Allopathic Medicine  
In the State of Arizona.**CONSENT AGREEMENT**

By mutual agreement and understanding between the Arizona Medical Board ("Board") and John F. Michiels, M.D. ("Respondent") the parties agree to the following disposition of this matter.

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Respondent acknowledges that he has the right to consult with legal counsel regarding this matter.

2. By entering into this Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.



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1           5.     Upon signing this agreement, and returning this document (or a copy thereof) to the  
2 Board's Executive Director, Respondent may not revoke the acceptance of the Consent  
3 Agreement. Respondent may not make any modifications to the document. Any modifications to  
4 this original document are ineffective and void unless mutually approved by the parties.

5           6.     This Consent Agreement, once approved and signed, is a public record that will be  
6 publicly disseminated as a formal action of the Board and will be reported to the National  
7 Practitioner Data Bank and to the Arizona Medical Board's website.

8           7.     If any part of the Consent Agreement is later declared void or otherwise  
9 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and  
10 effect.

11           8.     If the Board does not adopt this Consent Agreement, Respondent will not assert as  
12 a defense that the Board's consideration of the Consent Agreement constitutes bias, prejudice,  
13 prejudgment or other similar defense.

14           9.     Any violation of this Consent Agreement constitutes unprofessional conduct and  
15 may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("violating a formal order, probation,  
16 consent agreement or stipulation issued or entered into by the board or its executive director under  
17 this chapter") and 32-1451.

18  
19   
20 JOHN R. MICHIELS M.D.

Dated: Sept 28/06



**FINDINGS OF FACT**

1  
2 1. The Board is the duly constituted authority for the regulation and control of the  
3 practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license No. 22251 for the practice of allopathic  
5 medicine in the State of Arizona.

6 3. On September 20, 2006 the Maine Board of Pharmacy notified the Board that  
7 Respondent was prescribing medication over the Internet.

8 4. On September 25, 2006 Board Staff telephoned Respondent regarding the  
9 information received from the Maine Board of Pharmacy. Respondent admitted that he did  
10 prescribe drugs to patients over the Internet without first performing a physical examination.  
11 Respondent receives a patient questionnaire that he reviews and then prescribes the medication.  
12 Respondent routinely prescribes Cialis, Viagra, and Tramadol, among others. Respondent did not  
13 know that his conduct was prohibited by Arizona law.

14 5. According to the records received from the Maine Board of Pharmacy, Respondent  
15 authorized over 6000 prescriptions per month.

16 6. Respondent admits to the acts described above and that they constitute  
17 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(ss) ("Prescribing, dispensing or  
18 furnishing a prescription medication or a prescription-only device as defined in section 32-1901 to  
19 a person unless the licensee first conducts a physical examination of that person or has previously  
20 established a doctor-patient relationship.") and A.R.S. 32-1401(27)(q) ("Any conduct or practice  
21 that is or might be harmful or dangerous to the health of the patient or the public").

22 **CONCLUSIONS OF LAW**

23 1. The Board possesses jurisdiction over the subject matter hereof and over  
24 Respondent.  
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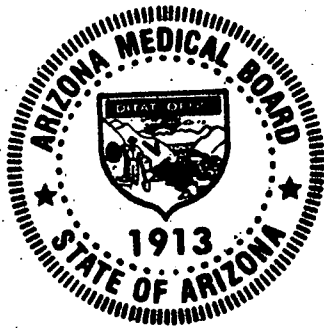
2. The Board possesses statutory authority to enter into a consent agreement with a physician and accept the surrender of an active license from a physician who admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).

**ORDER**

IT IS HEREBY ORDERED THAT License Number 22251, Issued to John F. Michiels, M.D. for the practice of allopathic medicine in the State of Arizona, is surrendered.

DATED AND EFFECTIVE this 12<sup>th</sup> day of October 2006.

(SEAL)



ARIZONA MEDICAL BOARD

By *Timothy C. Miller*  
TIMOTHY C. MILLER, J.D.  
Executive Director

ORIGINAL of the foregoing filed this 13<sup>th</sup> day of October 2006 with:

The Arizona Medical Board  
9545 East Doubletree Ranch Road  
Scottsdale, AZ 85253

EXECUTED COPY of the foregoing mailed this 13<sup>th</sup> day of October 2006 to:

John F. Michiels, M.D.  
Address of Record

*John F. Michiels*  
*John F. Michiels*